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Attorney's Docket No. 35718/241887 (5718-128)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Zheng *et al.*
Appl No.: 10/024,806 Confirmation No. 6104
Filed: December 19, 2001
For: OAR POLYNUCLEOTIDES, POLYPEPTIDES AND THEIR USE
IN PHA PRODUCTION IN PLANTS

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63**

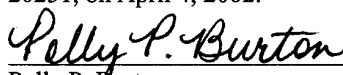
Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

W. Murray Spruill
Registration No. 32,943

<p>Customer Nos. 29122 and 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on April 4, 2002.</p> <p> Polly P. Burton</p>
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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 35718/241887 (5718-128)

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**OAR POLYNUCLEOTIDES, POLYPEPTIDES AND
THEIR USE IN PHA PRODUCTION IN PLANTS,**

the specification of which

☐ is attached hereto

OR

☒ was filed on 12/19/2001 as United States Application No. 10/024,806.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/258,417	12/27/2000
Application Number	Filing Date (MM/DD/YYYY)
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

NONE		
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application. No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Numbers provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith,

Customer Number 29122

Customer Number 00826

and direct that all correspondence be addressed to **Customer Number 29122**

Direct telephone calls to:

W. Murray Spruill
Registration No. 32,943
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

Full name of first inventor: Peizhong Zheng

Inventor's

Signature: Peizhong Zheng Date: 3/11/2002

Residence: Johnston, IA

Citizenship: United States of America

Mailing Address: 9036 Telford Circle, Johnston, IA 50131

Full name of second inventor: Chun Ping Li

Inventor's

Signature: [Signature] Date: 3/11/02

Residence: Johnston, IA

Citizenship: The People's Republic of China

Mailing Address: 5920 Ashland Place, Johnston, IA 50131

Full name of third inventor: Scott E. Nichols

Inventor's

Signature: [Signature] Date: 3-20-02

Residence: Westchester, PA

Citizenship: United States of America

Mailing Address: 5 Red Hawk Trail, Westchester, PA 19382

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